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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,941	11/20/2000	Arto Astala	017.38955X00	7366

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EXAMINER

WU, XIAO MIN

ART UNIT PAPER NUMBER

2674

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary

Application No.

09/714,941

Applicant(s)

ASTALA ET AL.

Examiner

XIAO M. WU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6-10, 14-20, 24-29, 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Araki et al. (US Patent No. 4,899,138).

As to claims 1, 9, 10, 17-20, 27, 28, 29, 36, Araki discloses a method of inputting data using a touch screen (1, Fig. 2)), the method comprising: detecting an object (e.g. finger) touching the touch screen; detecting the location of the object on the touch screen; detecting x and y coordinates of a point of contact of the object on the touch screen (see col. 3, lines 60-64); detecting when the object is no longer touching the touch screen and measuring a time duration from the time of detection of the object first touching the touch screen until the time of detection of the object no longer touching the touch screen (see col. 5, line 64 to col. 6, line 14); and determining inputted data based on the detected location of the object on the touch screen and the measured time duration (see col. 2, lines 20-39).

As to claims 6, 14, 24, 33, Araki discloses measuring the time duration comprising determining whether or not the time duration is greater than a predetermined value (col. 6, line 7).

As to claims 7, 15, 25, 34, Araki discloses measuring the time duration comprising determining whether the time duration is less than or equal to a first predetermined value or greater than the first predetermined value and less than or equal to second predetermined value or greater than second predetermined value (col. 6, lines 5-7).

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As to claims 8, 16, 26, 35, Araki discloses measuring the time duration comprising determining which of a predetermined plurality of time duration ranges the measured time duration is within (col. 6, lines 5-7).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4, 5, 12, 13, 22, 23, 31, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Araki et al. (US Patent No. 4,899,138) in view of Dunthorn (US Patent No. 4,914,624).

It is noted that Araki does not specifically disclose detecting pressure of the object on the touch screen being greater than a predetermined. Dunthorn is cited to teach a touch screen input device in which comprises detecting pressure of the object on the touch screen being greater than a predetermined (col. 6, line 66 to col. 7, line 2). It would have been obvious to one of ordinary

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skill in the art to have modified Araki with the features of pressure determination as taught by Dunthorn so as to increase the touch function by using different pressure values.

6. Claims 11, 21, 30 and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Araki et al. (US Patent No. 4,899,138) in view of Allard et al. (US Patent No. 5,615,384).

As to claims 11, 21 and 30, it is noted that Araki does not specifically disclose the x, y coordinates corresponding to a particular file location. Allard is cited to teach a touch screen input device in which the user can select a file by touch a coordinate position on the screen. It would have been obvious to one of ordinary skill in the art to have included a file selection in Araki so that the user can select different task from the file.

As to claim 37, 38, Allard discloses the input terminal is a wireless terminal to receive information from a server.

As to claim 39, Allard discloses a focus screen of the object that indicates information about the selected object (see Fig. 6).

As to claim 40, Allard discloses the determined inputted data corresponding to a drag function (see 146, Fig. 4).

As to claims 41 and 42, Allard discloses the determined inputted data corresponds to showing a hidden text under a touch input and the determining inputted data corresponds to magnifying a hidden text under a touch input (see Fig. 6).

7. Applicant's arguments with respect to claims 1, 4-41 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

February 10, 2003


XIAO WU
PRIMARY EXAMINER
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